

CHAPTER NO. 815

SENATE BILL NO. 3320

By Burks, Graves, Kilby

Substituted for: House Bill No. 3433

By Windle, Briley

AN ACT to amend Tennessee Code Annotated, Title 33 and Title 34, relative to guardianship program for mentally disabled persons.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 1, is amended by adding the following as a new, appropriately designated section:

33-1-____. The division of mental retardation services of the Department of Finance and Administration, and the Department of Mental Health and Developmental Disabilities along with the Department of Human Services and the Department of Children's Services are directed to study the feasibility of a guardianship program for persons who are mentally disabled and/or physically disabled. Such study to include an analysis of the existing conservatorship statutes. Such program may be similar to the guardianship program for the elderly administered by the commission on aging created in § 34-7-103. The departments shall study the financial impact of such a program and shall find out whether any federal grants exist to help fund such a program. All departments and the comptroller of the treasury shall cooperate with these departments in assisting the study of such guardianship program. The departments shall also solicit input and resources from interested organizations in helping them study the development of such guardianship program. The departments shall report their findings and suggested legislation to the governor, the Senate General Welfare, Health and Human Resources Committee and the House Health and Human Resources Committee by January 15, 2005.

SECTION 2. It is the legislative intent that this act not be codified by the Tennessee Code Commission.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it. This act shall be repealed on June 30, 2006, the public welfare requiring it.

PASSED: May 20, 2004



JOHN S. WILDER
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 3rd day of June 2004



PHIL BREDEBEN, GOVERNOR